

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Criminal Action No.
v.)	16-00340-01-CR-W-GAF
)	
BRITTAIN D. ROLFE,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on March 15, 2017. Defendant Brittain Rolfe appeared in person and with Assistant Federal Public Defender Ronna Holloman-Hughes. The United States of America appeared by Assistant United States Attorney Alison Dunning.

I. BACKGROUND

On November 2, 2016, an indictment was returned charging defendant with one count of possession a firearm after having been convicted of a felony, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Ms. Dunning announced that she will be the trial counsel for the government. The case agent to be seated at counsel table is Detective Michael Nelson, assigned to Kansas City, Missouri, Police Department.

Ms. Holloman-Hughes announced that she will be the trial counsel for defendant Brittain Rolfe.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Ms. Dunning announced that the government intends to call 4 witnesses without stipulations or 2 to 3 witnesses with stipulations during the trial.

Ms. Holloman-Hughes announced that defendant Brittain Rolfe intends to call no witnesses during the trial. The defendant may testify.

V. TRIAL EXHIBITS

Ms. Dunning announced that the government will offer approximately 22 exhibits in evidence during the trial.

Ms. Holloman-Hughes announced that defendant Brittain Rolfe will offer no exhibits in evidence during the trial.

VI. RULE 404(b) EVIDENCE

Ms. Dunning announced that the government will offer 404(b) or res gestae evidence during the trial.

Ms. Holloman-Hughes announced that defendant Brittain Rolfe will not offer 404(b) or res gestae evidence during the trial.

VII. DEFENSES

Ms. Holloman-Hughes announced that defendant Brittain Rolfe will rely on the defense of general denial.

VIII. POSSIBLE DISPOSITION

Ms. Holloman-Hughes stated this case is definitely for trial.

Ms. Dunning stated the government has not proposed a plea agreement to defendant Brittain Rolfe.

IX. STIPULATIONS

Stipulations may be filed as to chain of custody, prior felony conviction, interstate nexus of firearm.

X. TRIAL TIME

Counsel were in agreement that this case will take 2 days to try.

XI. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That counsel for each party file and serve a list of exhibits she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by March 15, 2017;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, March 22, 2017;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, March 22, 2017. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

That each party file all signed stipulations by or before noon, Wednesday, March 22, 2017;

That seven days before the trial date as reflected in the forthcoming trial letter, if there is not a scheduled change-of-plea hearing, the parties shall make available for the opposing party to inspect, copy or photograph (1) all premarked trial exhibits, (2) any written statements that will be used at trial, and (3) Rule 404(b) and res gestae evidence to be offered at trial.

XII. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XIII. TRIAL SETTING

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on March 27, 2017.

The parties request the second week of the trial docket.

/s/ Robert E. Larsen

ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
March 15, 2017